

Message

---

**From:** Mark Strynar **Personal Matters / Ex. 6**  
**Sent:** 6/13/2017 11:39:46 AM  
**To:** Strynar, Mark [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5a9910d5b38e471497bd875fd329a20a-Strynar, Mark]; Lindstrom, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=04bf7cf26aa44ce29763fbc1c1b2338e-Lindstrom, Andrew]  
**Subject:** Fwd: Consent order

Detlef,

I am not sure. They say they are making GenX there. How can it be considered a byproduct of HFPO?

----- Forwarded message -----

From: "Detlef Knappe" <knappe@ncsu.edu>

Date: Jun 11, 2017 2:36 PM

Subject: Consent order

To: **Personal Matters / Ex. 6**

Cc:

Mark,

The reporter found this:

"Found this little nugget in the EPA consent order:

(3) Byproducts. The requirements of this Order do not apply to the PMN substances when they are produced, without separate commercial intent, only as a "byproduct" as defined at 40 CFR 720.3(d) and in compliance with 40 CFR 720.30(g).

Here are those federal register entries:

40 CFR 720.3(d) Byproduct means a chemical substance produced without a separate commercial intent during the manufacture, processing, use, or disposal of another chemical substance or mixture.

40 CFR 720.30(g) Any byproduct if its only commercial purpose is for use by public or private organizations that (1) burn it as a fuel, (2) dispose of it as a waste, including in a landfill or for enriching soil, or (3) extract component chemical substances from it for commercial purposes. (This exclusion only applies to the byproduct; it does not apply to the component substances extracted from the byproduct.)"

My question: If GenX (the PMN substance) is produced as a byproduct (for example in their HFPO area), the capture requirement does not apply???

Detlef

---

Detlef Knappe  
Professor  
319-E Mann Hall  
Department of Civil, Construction, and Environmental Engineering

North Carolina State University  
Campus Box 7908  
Raleigh, NC 27695-7908

Phone: 919-515-8791

Fax: 919-515-7908

E-mail: knappe@ncsu.edu

Web page: <http://knappelab.wordpress.ncsu.edu/>